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Compilation on Switzerland

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of the information contained in the reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies

2. Switzerland was encouraged to become a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[1] the Optional Protocol to the International Covenant on Civil and Political Rights,[2] the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights,[3] the Optional Protocol to the Convention on the Rights of Persons with Disabilities,[4] the 1961 Convention on the Reduction of Statelessness[5] and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education.[6]

3. Switzerland was also invited to become a party to the 1997 European Convention on Nationality[7] and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).[8]

4. The Committee on the Rights of the Child regretted that Switzerland had maintained its reservations to articles 10 (1), 37 (c) and 40 (2) of the Convention on the Rights of the Child and urged it to consider withdrawing them.[9]

5. The Committee on the Elimination of Discrimination against Women welcomed the withdrawal by Switzerland in 2013 of its reservation to article 16 (1) (g) of the Convention on the Elimination of All Forms of Discrimination against Women, but was concerned that it had yet to withdraw its reservation to articles 15 (2) and 16 (1) (h).[10]

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6. Switzerland was a host to the headquarters in Geneva of the Office of the United Nations High Commissioner for Human Right and made regular voluntary contributions to support the work of the Office, including to the Voluntary Fund for Technical Cooperation in the Field of Human Rights and the Voluntary Fund for Victims of Torture.[13]

III. National human rights framework[14]

7. While noting the unique system of direct democracy in Switzerland, the Committee on the Elimination of Racial Discrimination expressed deep concern at the lack of sufficient safeguards to ensure that popular initiatives proposed by citizens did not contradict the country's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee urged Switzerland to step up its efforts to introduce an effective and independent mechanism to review the compatibility of popular initiatives with its obligations under international human rights law.[15]

8. The Human Rights Committee made similar comments and recommendations and was extremely concerned by an initiative on which the population was to vote entitled "Swiss law instead of foreign judges (initiative for self-determination)", which called for obligations under international law that conflicted with the Constitution to be adapted or even denounced.[16]

9. The Committee on the Rights of the Child noted the challenges presented by the federal system and was concerned that the absence of overall coordination had resulted in significant disparities across the cantons in the implementation of the Convention on the Rights of the Child.[17]

10. The Human Rights Committee welcomed the draft bill on the creation of a national human rights institution. However, it remained concerned by reports that: the institution's budget would be maintained at the same level as that of the existing Swiss Resource Centre for Human Rights; the institution would be responsible for the promotion of human rights but would not have an explicit mandate for the protection of human rights. It repeated its recommendation that Switzerland should establish an independent national human rights institution with a broad mandate for human rights protection and adequate human resources and funding, in accordance with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles).[18]

11. The Committee on the Rights of the Child recommended that Switzerland establish a specific mechanism for monitoring children's rights that was able to receive, investigate and address complaints by children in a child-sensitive manner, ensure the privacy and protection of victims, and undertake monitoring and follow-up activities for victims.[19]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[20]

12. The Committee on the Elimination of Racial Discrimination was concerned at racist stereotypes promoted by members of right-wing populist parties and sections of the media, and at the display of political posters with racist and/or xenophobic content and the lack of prosecution in such cases. It was also concerned at the xenophobic tone of popular initiatives targeting non-citizens, such as those adopted against the construction of minarets in 2009, on the expulsion of foreign criminals in 2010 and against mass immigration in 2014. It recommended that Switzerland undertake extensive and systematic awareness-raising activities to combat stigmatization, generalization, stereotyping and prejudice against non-citizens, and take swift measures, in addition to prosecution, to respond to

instances of racist remarks or acts, including formal rejection by high-level public officials.[21]

13. The Office of the United Nations High Commissioner for Refugees (UNHCR) noted that Switzerland did not have comprehensive anti-discrimination legislation.[22] The Committee on the Elimination of Racial Discrimination recommended that Switzerland adopt a clear and comprehensive definition of racial discrimination and introduce an overarching provision in its civil and administrative law prohibiting both direct and indirect racial discrimination in all areas of private and public life.[23]

14. The Human Rights Committee regretted the fact that the only grounds on which discrimination was considered an offence in the Criminal Code were racial, ethnic or religious origin, and recommended that the criminal legislation be amended to broaden the grounds for discrimination as an offence.[24]

15. The Committee on the Elimination of Racial Discrimination was concerned at the restrictive interpretation of the Criminal Code by the judicial authorities, noting that cases of discriminatory remarks or actions were frequently dismissed on the grounds that they were not based on a particular nationality or ethnicity. It recommended that Switzerland take measures to ensure that everyone within its jurisdiction enjoyed effective protection and remedies through the competent national courts and other State institutions against any acts of racial discrimination that violated their rights.[25]

16. The Committee on the Elimination of Discrimination against Women remained concerned that prevailing stereotypes, along with deep-rooted patriarchal attitudes, continued to impede progress in advancing gender equality. It recommended that Switzerland strengthen its efforts to eliminate such stereotypes, including through awareness-raising, and develop a comprehensive national gender strategy, policy and action plan that addressed the structural factors causing persistent inequalities.[26]

17. The Committee on the Rights of the Child was concerned about incidents of hate speech against lesbian, gay, bisexual, transgender and intersex persons and recommended that Switzerland adopt comprehensive legislation against discrimination on the grounds of sexual orientation and gender identity.[27]

18. The same Committee, the Committee on the Elimination of Discrimination against Women and the Committee against Torture recommended that Switzerland ensure that no one was subjected to unnecessary medical or surgical treatment during infancy or childhood, in line with the recommendations of the National Advisory Commission on Biomedical Ethics on issues relating to intersexuality.[28]

2. Development, the environment, and business and human rights[29]

19. The Committee on the Rights of the Child noted measures taken and envisaged to regulate the activities of multinational business enterprises. It recommended that Switzerland establish a clear regulatory framework for industries operating in the country to ensure that their activities did not negatively affect human rights or endanger environmental, labour and other standards, and ensure its effective implementation. It also recommended ensuring that business enterprises and their subsidiaries operating in or managed from its territory were legally accountable for violations of children's rights and human rights in general.[30]

B. Civil and political rights

1. Right to life, liberty and security of person[31]

20. The Committee against Torture stated that although behaviours that could be characterized as torture were punishable under various articles of the Criminal Code, the fact that there was no definition of torture as a specific criminal offence, covering all the elements of the definition in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, created a legal vacuum that might open up the

possibility of impunity. It reiterated its previous recommendation that Switzerland make torture a criminal offence, in terms that fully reflected article 1 of the Convention.[52]

21. The Human Rights Committee remained concerned by information indicating the prevalence of police brutality, including against asylum seekers, migrants and foreign nationals, and the fact that occurrences were not adequately reported.[53]

22. UNHCR stated that asylum seekers were generally not detained, but their freedom of movement was restricted. Detention was frequently used, however, to facilitate deportation.[54] The Committee against Torture noted that some migrants in administrative detention had been accommodated in pretrial detention facilities where they were subject de facto to the same regime as persons awaiting trial. It remained concerned that, although minors accounted for only 2 per cent of cases, the maximum period of administrative detention for children aged 15-18 remained 12 months. It recommended that Switzerland develop alternatives to administrative detention and use detention only as a last resort, particularly where unaccompanied minors were concerned.[55]

23. The Committee against Torture was concerned about prison conditions, particularly overcrowding at Champ-Dollon Prison (Geneva), and that strict separation between men and women in Champ-Dollon and between minors and adults in regional prisons was not yet guaranteed. It noted reports regarding solitary confinement for persons with mental disabilities, with no possibility of therapy, in high security facilities. It recommended that Switzerland be more persistent in its attempts to reduce prison overcrowding at Champ-Dollon; modify the regime for pretrial detainees to reflect their status as unconvicted persons; take steps to guarantee strict separation for adults and minors and for men and women; and ensure that therapeutic treatment in appropriate facilities was guaranteed in all cantons.[56]

2. Administration of justice, including impunity, and the rule of law[57]

24. The Human Rights Committee expressed its serious concern at the lack of centralized data at a federal level on the number of complaints, prosecutions and sentences handed down in cases of reported ill-treatment and the absence of any independent mechanism accessible to all for filing complaints against the police, which would complement the work of the Office of the Attorney General.[58]

25. The Committee against Torture urged Switzerland to create an independent mechanism empowered to receive complaints relating to violence and ill-treatment by law enforcement officers, and conduct timely, impartial and exhaustive inquiries into such complaints.[59]

26. The Committee on the Rights of the Child noted the entry into force of legislation raising the minimum age of criminal responsibility from 7 to 10. However, the Committee remained concerned that the minimum age of criminal responsibility remained below internationally acceptable standards, that free legal aid for children was not always ensured and that children were still not separated from adults in detention centres. It recommended that Switzerland raise the minimum age of criminal responsibility to an internationally acceptable level, ensure that children had access to free legal assistance and expedite the process of establishing adequate detention facilities to ensure that children were not detained with adults.[60]

3. Fundamental freedoms and the right to participate in public and political life[61]

27. The Human Rights Committee stated that Switzerland should take measures to remove the ban on building new minarets, including through a revision to its Constitution.[62]

28. UNESCO noted that defamation was a criminal offence under the Swiss Criminal Code, which determined that that any person who disseminated accusations or suspicions, knowing them to be untrue, was liable to a custodial sentence or to a monetary penalty. It recommended that Switzerland decriminalize defamation and place it within a civil code, in accordance with international standards.[63]

4. Prohibition of all forms of slavery[44]

29. The Committee on the Elimination of Discrimination against Women welcomed the steps taken to combat trafficking, but was concerned about the lack of a unified approach across cantons to identify victims, the disparities between cantons in relation to granting residence permits, the inadequate resources allocated to victim protection services, and the limited focus on multiple forms of exploitation such as forced labour, servitude, slavery and analogous practices. It recommended that Switzerland assess the impact of the National Action Plan against Trafficking in Persons and adopt a new plan with a gender focus, ensuring that measures were implemented uniformly across cantons.[45]

30. The International Labour Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations encouraged the Government to continue efforts to ensure that all victims of trafficking, both for sexual exploitation and labour were protected, particularly by strengthening cooperation between the labour inspectorate and trade unions.[46]

5. Right to privacy and family life

31. The Human Rights Committee was concerned by the fact that the Federal Intelligence Act of September 2016 gave very intrusive surveillance powers to the country's intelligence services on the basis of poorly defined objectives and stated that Switzerland should take all necessary measures to ensure that surveillance activities in the country complied with its obligations under the Covenant. Specifically, measures should be taken to ensure that the period during which information could be held was strictly regulated.[47]

32. The Committee on the Elimination of Discrimination against Women recommended that Switzerland take measures to redress gender and economic disparities upon divorce, and analyse the impact of the current pension system on low-income divorced couples, and the risks they faced of falling into poverty.[48]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[49]

33. The ILO Committee of Experts noted that older workers faced difficulties in finding new jobs and were at greater risk of long-term unemployment and that a majority of women worked part-time.[50]

34. Noting that the gender wage gap remained significant and was changing very slowly, the ILO Committee of Experts asked the Government to continue evaluating that disparity.[51] The Committee on the Elimination of Discrimination against Women recommended that Switzerland strengthen efforts to eliminate the gender wage gap, including through the use of temporary special measures.[52]

35. The same Committee was concerned at the continued lack of affordable childcare facilities and of family-friendly working models. It recommended that Switzerland create more opportunities for women to gain access to full-time employment, including by adopting a rights-based national childcare framework in order to provide sufficient and adequate childcare facilities.[53]

36. UNHCR recommended facilitating the access of refugees, asylum seekers and provisionally admitted persons to the labour market by removing practical obstacles such as non-recognition of foreign qualifications and restrictions on freedom of movement.[54]

2. Right to an adequate standard of living[55]

37. The Committee on the Elimination of Discrimination against Women welcomed the overall reduction in household poverty, in line with the recommendations of the Swiss Conference of Cantonal Ministers of Social Affairs in 2013. However, it was concerned that women, particularly single mothers, older women, divorced rural women, migrant women, unemployed women and women involved in unpaid care work, were

disproportionately affected by poverty. It recommended that Switzerland adopt a national poverty reduction strategy with a focus on the most disadvantaged and vulnerable groups of women.[56]

38. The Committee on the Rights of the Child was concerned that supplementary benefits for families, including social assistance, remained low in some cantons. It recommended that Switzerland further strengthen its system of family allowances and benefits with a view to ensuring that all children, including children of refugee, asylum-seeking and migrant parents, had an adequate standard of living.[57]

3. Right to health[58]

39. The Committee on the Elimination of Discrimination against Women was concerned that language barriers and lack of awareness often prevented migrant women from accessing health-care facilities, and about disparities in the teaching of age-appropriate sexual education across cantons.[59]

40. The Committee on the Rights of the Child remained concerned about the high number of suicides among adolescents. It recommended that Switzerland expedite the adoption of a national action plan on suicide prevention.[60]

4. Right to education[61]

41. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that several measures had been taken in Switzerland to enhance the right to education. Nevertheless, it seemed that asylum seekers and undocumented children were still experiencing problems in gaining access to secondary education. Switzerland should be encouraged to strengthen public policies to ensure that children of foreign origin enjoyed the best possible level of teaching and that child asylum seekers and undocumented children were given access to education, particularly at secondary level.[62] The Committee on the Rights of the Child made similar recommendations.[63]

42. The Committee on the Elimination of Discrimination against Women recommended that Switzerland encourage further diversification of the educational choices of girls and boys, take steps to revise educational materials at the cantonal level and ensure that gender-sensitive teaching materials were available across all cantons and communities. It also recommended that Switzerland strengthen strategies to address discriminatory stereotypes and structural barriers that might deter girls from progressing beyond secondary education and enrolling in traditionally male-dominated fields of study.[64]

D. Rights of specific persons or groups

1. Women[65]

43. The Committee on the Elimination of Discrimination against Women remained concerned that women continued to be underrepresented in the Council of States, the National Council, extra-parliamentary commissions, governing bodies of companies, academia and among judges at all levels of the judiciary. It called upon Switzerland to strengthen its efforts to increase the number of women in elected bodies in order to achieve equal representation of women and men in political and public life, and to adopt and implement measures, either as temporary special measures or permanent measures, aimed at achieving substantive equality of women and men in all areas.[66]

44. The same Committee commended the efforts being made to address gender-based violence, but remained concerned about the prevalence of such violence, underreporting of gender-based violence to the police, low prosecution and conviction rates and the insufficient number of shelters available to provide victims with specific support services.[67] The Committee against Torture remained concerned about the high number of prosecutions for domestic violence that were dropped, in some cases because they were suspended by the competent authority with the tacit agreement of the victim. It noted with concern that, where convictions were handed down for domestic violence, the penalties incurred were light. It recommended that Switzerland ensure that cases of violence against women were

automatically subject to effective and impartial proceedings and that perpetrators were prosecuted and punished in accordance with the serious nature of their acts. It also recommended that Switzerland continue to sensitize and train the judiciary and law enforcement officials on all kinds of violence against women and on ex officio prosecution of cases.[68]

45. While welcoming the revision in 2013 of the Federal Act on Foreign Nationals, which provided for the right of foreign victims of marital violence to remain in Switzerland, the Committee on the Elimination of Racial Discrimination expressed concern that the level of violence had to reach a certain threshold of severity for the benefits of the Act to apply.[69] The Committee on the Elimination of Discrimination against Women noted underreporting of domestic violence by many migrant women whose residence permits depended on their being married, and that the significantly high threshold of "severity" and "systematic violence" prevailed as the standard of proof before the courts. The Committee against Torture urged Switzerland to extend protection under the Act to foreigners who had been recognized as victims of domestic violence, without setting the threshold level of violence too high to allow protection to be granted.[70]

46. The Committee on the Elimination of Discrimination against Women was concerned about the structural violence and exclusion faced by foreign women in prostitution and the lack of measures taken to provide exit programmes and alternative income-generating opportunities. It recommended that Switzerland strengthen the assistance provided to those who wished to leave prostitution.[71]

2. Children[72]

47. The Committee on the Rights of the Child welcomed the revision of the Ordinance on the Placement of Foster Children, but was concerned that disparities existed between cantons regarding, inter alia, the quality of various forms of alternative care and the implementation of care standards. It recommended that Switzerland strictly regulate and effectively enforce high-quality standards in alternative care throughout the country, including by ensuring that adequate human, technical and financial resources were allocated to alternative care centres and relevant child protection services, and that systematic training in, and support for, child-rearing was provided for foster families.[73]

48. While welcoming the revision of the Law on Adoption, the same Committee was concerned about the considerable number of intercountry adoptions involving countries of origin that were not party to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. It recommended that Switzerland ensure that the paramountcy of the best interests of the child was strictly observed in intercountry adoptions and that all the safeguards provided in that Convention were met, even if the other country was not a party to that Convention.[74]

49. While welcoming the adoption of a new criminal law provision prohibiting genital mutilation, the Committee was deeply concerned about girls living in Switzerland who were affected or threatened by that practice.[75] The Committee on the Elimination of Discrimination against Women recommended that Switzerland develop awareness-raising campaigns, ensure that information was readily available to victims of female genital mutilation, ensure that the relevant professionals were trained to identify potential victims and that perpetrators were brought to justice.[76]

50. The Committee on the Rights of the Child regretted that corporal punishment was not considered as physical violence if it did not exceed the level generally accepted by society. It urged Switzerland to prohibit explicitly all practices of corporal punishment in all settings and to promote non-violent and participatory forms of child-rearing and discipline.[77]

51. It also recommended that Switzerland establish an effective regulatory framework and take all necessary measures to prevent and eliminate child sex tourism.[78]

52. The ILO Committee of Experts noted with satisfaction the amendments to the Criminal Code, which had entered into force in 2014, prohibiting the incitement of any

minor to engage in prostitution and prohibiting the procuring of any minor for the production of pornography.[79]

3. Persons with disabilities[80]

53. The Committee on the Rights of the Child was concerned about the lack of comprehensive data on children with disabilities, the inadequate inclusion of those children in mainstream education in all cantons, the insufficient human and financial resources allocated to ensure the adequate functioning of the system of inclusive education in practice, and discrimination and segregation of children with autism spectrum disorders, especially in the canton of Geneva.[81]

54. The Committee recommended that Switzerland strengthen its efforts to ensure State-wide inclusive education without discrimination, including through the allocation of the necessary resources, adequate training of professionals and provision of clear guidance to cantons that still applied a segregated approach; promote inclusion rather than integration; address the specific needs of children with autism spectrum disorders in all cantons; take all necessary measures to prevent children with disabilities from being placed in psychiatric units; and ensure that children with disabilities had access to early childhood education and care, early development programmes and inclusive vocational training opportunities in all cantons.[82]

4. Minorities[83]

55. The Committee on the Elimination of Racial Discrimination remained concerned that Traveller communities and the Yenish, Manush, Sinti and Roma continued to face obstacles in accessing education and preserving their language and lifestyle. It called on Switzerland to strengthen its efforts to promote and protect the rights of national minorities and to ensure that laws and policies that might seem neutral did not have any discriminatory impact on the rights of members of national minorities.[84]

56. The Human Rights Committee welcomed the establishment in 2014 of a working group responsible for improving nomadic lifestyle conditions and encouraging the Jenisch, Sinti and Roma cultures in Switzerland. It remained concerned, however, by the inadequate number of encampment areas available to nomadic communities and stated that Switzerland should establish an action plan coordinated between the cantons to ensure that sufficient encampment areas were available to travelling peoples.[85]

5. Migrants, refugees and asylum seekers[86]

57. UNHCR noted that, while the overall level of protection in Switzerland was relatively high, the country applied a restrictive refugee recognition policy. Many individuals who UNHCR considered to be refugees were either not recognized as such or not granted asylum, including individuals fleeing persecution in the context of conflict. Moreover, according to article 54 of the Asylum Act, asylum would not granted to persons who became refugees "only by leaving their native country or country of origin or due to their conduct after their departure", or those deemed "unworthy" of asylum as a result of serious misconduct or violating or endangering the internal or external security of Switzerland (Asylum Act, art. 53). In those cases, persons were admitted on a provisional basis only. That precarious non-status halted deportation but did not provide for a residence permit. Rights and benefits were restricted, including the right to family reunification, the right to work and freedom of movement. The quality of asylum decisions also varied, and efforts were needed to strengthen quality assurance mechanisms and mechanisms to identify and address specific needs, including those of unaccompanied asylum-seeking children.[87]

58. UNHCR recommended that Switzerland ensure the full application of the 1951 Convention relating to the Status of Refugees concerning refugee status determination, in line with current international standards, including with regard to persons fleeing persecution in the context of conflict and violence; repeal legislative restrictions that differentiated between "Convention refugees", who were granted asylum, and those who were admitted only provisionally; introduce a subsidiary protection status, with rights

equivalent to those of refugees, for individuals in need of international protection who fell outside the scope of the 1951 Convention; and ensure the consistent quality of refugee status determination procedures and decision-making, including for unaccompanied asylum-seeking children and other groups with specific needs.[88]

59. UNHCR noted that reception standards for asylum seekers varied widely across Switzerland and that some gave rise to concern, such as the use of nuclear bunkers as reception centres. It was particularly concerned about the lack of mechanisms to address the specific needs of refugees and asylum seekers and recommended that Switzerland ensure minimum reception standards in federal and cantonal reception centres across the country, taking into account the specific needs of refugees and asylum seekers, including unaccompanied or separated children.[89]

60. The Committee on the Elimination of Racial Discrimination expressed concern at the undue hardship faced by persons who were granted provisional admission status ("F" permit), including restrictions on freedom of movement. It recommended that Switzerland eliminate disproportionate restrictions on the rights of provisionally admitted persons, particularly those who had been in the country for a long time, by enabling them to move freely and facilitating the process of family reunification and access to employment and educational opportunities.[90]

61. In 2013, the Special Rapporteurs on the human rights of migrants and on contemporary forms of racism, racial discrimination, xenophobia and related intolerance sent Switzerland a communication regarding alleged rules in certain municipalities prohibiting asylum seekers from using public spaces, including swimming pools and public sports facilities. The Government sent a detailed reply.[91]

62. The Committee against Torture was concerned at reports that the assessment of the risk of violation of the principle of non-refoulement did not take proper account of information concerning the situation in the country of origin. It highlighted reports that two persons who had been forcibly returned to another State had been subjected to torture, and noted the undertaking made by Switzerland to bring them back to Switzerland and to discontinue returns to that country. The Committee recommended that Switzerland thoroughly consider the merits of each individual case, including the overall situation with regard to torture in the country of return, and put in place effective post-return monitoring arrangements for use in the event of refoulement.[92]

63. While welcoming the entry into force in 2014 of the revision of the Asylum Act, requiring priority treatment of asylum applications from unaccompanied children, the Committee on the Rights of the Child remained concerned that the asylum procedure for unaccompanied children was not always guided by their best interests. It recommended that Switzerland ensure that the asylum procedure fully respected the special needs and requirements of children.[93]

6. Stateless persons

64. UNHCR noted that, although Switzerland was a party to the 1954 Convention relating to the Status of Stateless Persons and individuals could apply for recognition as stateless persons, there was no formalized statelessness determination procedure in the country. Moreover, the definition of a stateless person, as set out in the 1954 Convention, was interpreted narrowly by the authorities and the judiciary. UNHCR recommended that Switzerland establish a formal statelessness determination procedure including procedural safeguards, and apply an inclusive interpretation of the term "stateless person", in line with the 1954 Convention and existing international standards.[94]

65. The Committee on the Rights of the Child was concerned that children born in Switzerland, who would otherwise be stateless, were not guaranteed the right to acquire Swiss nationality. It recommended that Switzerland ensure that birth registration was made available as soon as possible for all children, regardless of their parents' legal status and origin, and that all children born in its territory acquired Swiss nationality irrespective of the legal status of their parents if they would otherwise be stateless.[95]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Switzerland will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/CHIndex.aspx.
[2] For relevant recommendations, see A/HRC/22/11, paras. 122.1-122.4, 122.47-122.49, 123.1-123.14, 123.61, 123.86 and 124.1.
[3] See CERD/C/CHE/CO/7-9, para. 19, CAT/C/CHE/CO/7, para. 23, CEDAW/C/CHE/CO/4-5 and Corr.1, para. 53, and CRC/C/CHE/CO/2-4, para. 75.
[4] See CAT/C/CHE/CO/7, para. 23, and CCPR/C/CHE/CO/4, para. 13.
[5] See CAT/C/CHE/CO/7, para. 23.
[6] Ibid.
[7] See CRC/C/CHE/CO/2-4, para. 31, CERD/C/CHE/CO/7-9, para. 19, and UNHCR submission to the universal periodic review of Switzerland, p. 5.
[8] See CERD/C/CHE/CO/7-9, para. 19, and UNESCO submission to the universal periodic review of Switzerland, p. 7.
[9] See CRC/C/CHE/CO/2-4, para. 31, and UNHCR submission, p. 5.
[10] See CEDAW/C/CHE/CO/4-5 and Corr.1, para. 27 (e).
[11] See CRC/C/CHE/CO/2-4, paras. 6-7. See also UNHCR submission, p. 3.
[12] See CEDAW/C/CHE/CO/4-5 and Corr.1, para. 8.
[13] OHCHR, "Funding" in: *OHCHR Report 2013*, pp. 131, 134-136 and 142; *OHCHR Report 2014*, pp. 63, 68 and 74; *OHCHR Report 2015*, pp. 61, 67 and 72; and *OHCHR Report 2016*, pp. 78-79, 83-84 and 90; and "Funds administered by OHCHR" in: *OHCHR Report 2013*, pp. 163 and 169; *OHCHR Report 2014*, p. 96; *OHCHR Report 2015*, p. 94; and *OHCHR Report 2016*, pp. 113 and 117.
[14] For relevant recommendations, see A/HRC/22/11, paras. 123.17-123.26, 123.59-123.60 and 123.74.
[15] See CERD/C/CHE/CO/7-9, para. 8.
[16] See CCPR/C/CHE/CO/4, paras. 6 and 7 (b).
[17] See CRC/C/CHE/CO/2-4, para. 12.
[18] See CCPR/C/CHE/CO/4, paras. 14-15. See also CAT/C/CHE/CO/7, para. 9, CERD/C/CHE/CO/7-9, para. 10, and CRC/C/CHE/CO/2-4, para. 19.
[19] See CRC/C/CHE/CO/2-4, para. 19.
[20] For relevant recommendations see, A/HRC/22/11, paras. 122.5-122.10, 122.12-122.17, 122.19, 122.21-122.26, 122.41, 123.24-123.43, 122.46, 123.48-123.53, 123.58, 123.72-123.77 and 124.2-124.3.
[21] See CERD/C/CHE/CO/7-9, para. 12.
[22] UNHCR submission, p. 4.
[23] See CERD/C/CHE/CO/7-9, para. 6 (a)-(b). See also CCPR/C/CHE/CO/4, para. 17.
[24] See CCPR/C/CHE/CO/4, paras. 16-17.
[25] See CERD/C/CHE/CO/7-9, para. 7.
[26] See CEDAW/C/CHE/CO/4-5 and Corr.1, paras. 19 and 22-23.
[27] See CRC/C/CHE/CO/2-4, paras. 24-25.
[28] See CEDAW/C/CHE/CO/4-5 and Corr.1, para. 25 (c), CAT/C/CHE/CO/7, para. 20, and CRC/C/CHE/CO/2-4, para. 43. See also CCPR/C/CHE/CO/4, para. 25.
[29] For relevant recommendations, see A/HRC/22/11, paras. 123.83-123.86.
[30] See CRC/C/CHE/CO/2-4, paras. 22-23.
[31] For relevant recommendations, see A/HRC/22/11, paras. 122.39, 123.15-123.16, 123.45-123.47 and 123.78-123.80.
[32] See CAT/C/CHE/CO/7, para. 7. See also CCPR/C/CHE/CO/4, para. 31.
[33] See CCPR/C/CHE/CO/4, para. 28.
[34] UNHCR submission, p. 5.
[35] See CAT/C/CHE/CO/7, paras. 17-18.
[36] Ibid., para. 19.
[37] For relevant recommendations, see A/HRC/22/11, paras. 122.39, 123.15-123.16, 123.45-123.47 and 123.78-123.80.
[38] See CCPR/C/CHE/CO/4 para. 28.
[39] See CAT/C/CHE/CO/7, para. 10. See also CERD/C/CHE/CO/7-9, para. 14.
[40] See CRC/C/CHE/CO/2-4, paras. 72-73.
[41] For relevant recommendations, see A/HRC/22/11, paras. 122.5, 122.17, 123.38, 123.40, 123.50-123.53, 123.62-123.65 and 124.3.
[42] See CCPR/C/CHE/CO/4, para. 43.
[43] See UNESCO submission, p. 3 and para. 20.
[44] For relevant recommendations, see A/HRC/22/11, paras. 122.27-122.34 and 123.66-123.69.

[45] See CEDAW/C/CHE/CO/4-5 and Corr.1, paras. 28-29.
[46] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3294972.
[47] See CCPR/C/CHE/CO/4, paras. 46-47.
[48] See CEDAW/C/CHE/CO/4-5 and Corr.1, para. 49.
[49] For relevant recommendations, see A/HRC/22/11, paras. 122.21-122.25, 123.55 and 123.75.
[50] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3280208.
[51] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3184619.
[52] See CEDAW/C/CHE/CO/4-5 and Corr.1, paras. 36-37.
[53] Ibid.
[54] UNHCR submission, p. 4.
[55] For relevant recommendations, see A/HRC/22/11, paras. 122.45, 123.54-123.55 and 124.4.
[56] See CEDAW/C/CHE/CO/4-5 and Corr.1, paras. 42-43.
[57] See CRC/C/CHE/CO/2-4, paras. 64-65.
[58] For relevant recommendations, see A/HRC/22/11, paras. 123.54 and 123.82.
[59] See CEDAW/C/CHE/CO/4-5 and Corr.1, paras. 38-39.
[60] See CRC/C/CHE/CO/2-4, paras. 62-63.
[61] For relevant recommendations, see A/HRC/22/11, paras. 122.46 and 123.57.
[62] See UNESCO submission, paras. 13, 19 and pp. 7-8, recommendations No. 3 and No. 5.
[63] See CRC/C/CHE/CO/2-4, para. 69 (g).
[64] See CEDAW/C/CHE/CO/4-5 and Corr.1, para. 35.
[65] For relevant recommendations, see A/HRC/22/11, paras. 122.21-122.26, 122.35-122.37, 122.43 and 123.70-123.75.
[66] See CEDAW/C/CHE/CO/4-5 and Corr.1, paras. 20-21 and 30-31.
[67] Ibid., paras. 26-27.
[68] See CAT/C/CHE/CO/7, para. 11. See also CCPR/C/CHE/CO/4, paras. 26-27.
[69] See CERD/C/CHE/CO/7-9, para. 17.
[70] See CAT/C/CHE/CO/7, para. 12, CEDAW/C/CHE/CO/4-5 and Corr.1, paras. 46 (b) and 47 (c), and CCPR/C/CHE/CO/4, paras. 26-27.
[71] See CEDAW/C/CHE/CO/4-5 and Corr.1, paras. 28 (f) and 29 (f).
[72] For relevant recommendations, see A/HRC/22/11, paras. 122.43-122.44, 122.46, 123.54, 123.57, 123.75 and 123.79-123.82.
[73] See CRC/C/CHE/CO/2-4, paras. 48-49.
[74] Ibid., paras. 50-51.
[75] Ibid., paras. 42-43.
[76] See CEDAW/C/CHE/CO/4-5 and Corr.1, para. 25.
[77] See CRC/C/CHE/CO/2-4, paras. 38-39.
[78] See CRC/C/OPSC/CHE/CO/1, para. 20 (a).
[79] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298377. See also CRC/C/OPSC/CHE/CO/1, para. 5 (a).
[80] For the relevant recommendations, see A/HRC/22/11, paras. 123.49.
[81] See CRC/C/CHE/CO/2-4, para. 54.
[82] Ibid., para. 55.
[83] For relevant recommendations, see A/HRC/22/11, paras. 122.14, 122.17-122.18, 122.20, 123.40, 123.50-123.51 and 123.62-123.63.
[84] See CERD/C/CHE/CO/7-9, para. 15.
[85] See CCPR/C/CHE/CO/4, paras. 50-51.
[86] For relevant recommendations, see A/HRC/22/11, paras. 122.10-122.11, 122.16, 122.18-122.19, 123.40-123.42, 123.46, 123.50-123.52, 123.54-123.57 and 123.79.
[87] UNHCR submission, pp. 1-2.
[88] Ibid., p. 2.
[89] Ibid., pp. 4-5.
[90] See CERD/C/CHE/CO/7-9, paras. 16-17.
[91] A/HRC/25/74, p. 74.
[92] See CAT/C/CHE/CO/7, para. 13.
[93] See CRC/C/CHE/CO/2-4, paras. 68-69.
[94] UNHCR submission, pp. 5-6.
[95] See CRC/C/CHE/CO/2-4, paras. 30-31.